

WARRANT

DOCKET NO.

STATE OF IOWA, BOONE COUNTY, SS:

TO ANY PEACE OFFICER IN THE STATE:

Information, upon oath, having been this day laid before the District Court of Iowa, Boone County, Iowa, the crime(s) of: : 707.1 and 707.2 MURDER IN THE FIRST DEGREE

has/have been committed, and accusing:

Alexander Joseph Fazzino

ADDRESS:

SSN: [REDACTED] DOB: [REDACTED] HGT: 5-08 WGT: 185 HAIR: Black
EYES: Brown COMPLEXION: Olive BUILD: Medium RACE: White ETHNIC
ORIGIN: GENDER: Male SCARS/TATTOOS:
OTHER:

THEREFORE, YOU ARE HEREBY COMMANDED, FORTHWITH,
to arrest the said Defendant: **Alexander Joseph Fazzino**
and bring said Defendant before Court or, in the case of absence of the Judges of said Court, or
inability to act, before the nearest and most accessible magistrate, or the Clerk of the District
Court, in said County.

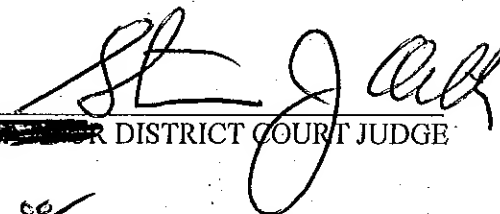
Given under my hand at this 5th day of April, A.D. 2013.

ENTRY CODE:

(N) S B C I 2

Initialed: _____

PRINT NAME


DISTRICT COURT JUDGE

Defendant to be admitted to bail in the sum of \$ 1,500,000.00 + COSTS + SURCHARGE

This warrant came into my hands _____, 2013. I served the same
_____, 2013, by arresting the Defendant named herein in _____ County,
Iowa, by reading said Defendant the warrant, and have said Defendant now in Court,
_____, 2013, subject to the orders thereof.

Serving Warrant \$ _____

Expense _____, Iowa

TOTAL \$ _____

COMPLAINT

STATE OF IOWA
VS.

Alexander Joseph Fazzino
DOB: [REDACTED]

} State of Iowa,
}
}
} IN THE DISTRICT COURT OF IOWA
}
} BOONE COUNTY

The defendant is accused of the crime of **MURDER IN THE 1st DEGREE**, a **CLASS A FELONY** in violation Iowa Code Section 707.1 and 707.2(1), in that on 29TH day of January 2012, in the State of Iowa, County of Boone, did kill another person identified as Emily A Fazzino, with malice and aforethought, to-wit:

Alexander J. Fazzino did willfully, deliberately, and with premeditation kill Emily A. Fazzino in their residence located at 1210 South View Court in Boone County, Iowa.

THEREFORE, Complainant requests that said Defendant, subject to bail or conditions of release where applicable:

- (1) be arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
- (2) be detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant

D. J. Schnitker

Don J. Schnitker, a Special Agent for the
Division of Criminal Investigation (DCI),
State of Iowa.

Subscribed and sworn to before me by the person(s) signing this Complaint (and affidavit(s)) on this the 5th day of April, 2013

Complaint and affidavit(s) filed and probable cause found that the defendant committed the offense charged.

[Signature]
JUDGE GRAMM

IN THE IOWA DISTRICT COURT, IN AND FOR BOONE COUNTY
AT

STATE OF IOWA

}

AFFIDAVIT IN SUPPORT
OF COMPLAINT

}SS:

COUNTY OF BOONE

}

I, Special Agent Don Schnitker, telephone number [REDACTED] a member of the Iowa Division of Criminal Investigation being first duly sworn on oath, depose and state:

All the information represented in this affidavit I know from my personal knowledge, the review of documents secured during the course of this investigation, the review of official reports prepared by law enforcement officers pursuant to this or other investigations, other sources of information whom I believe to be reliable, information provided to me by the Iowa DCI Criminalistics Laboratory, Iowa State Medical Examiner's Office as well as other law enforcement officers who have reported to me the results of their investigative efforts relating to the investigation hereinafter described.

At approximately 8:02 pm, on January 29, 2012 the Boone Police Department received a 911 call from Alexander Fazzino stating that his wife, Emily Fazzino was attempting to kill herself by drowning herself in the bathtub. Fazzino repeated several times on the telephone that "she is killing herself." Officers responded to the Fazzino residence, located at 1210 South View Court, and were directed by Alexander Fazzino to the master bathroom of the residence where they located Emily Fazzino. Emily Fazzino was lying nude on the bathroom floor. Responding Officers reported that Emily Fazzino was cold to the touch, pale, and was non-responsive. Despite lifesaving efforts by law enforcement, Emily Fazzino failed to show any signs of life or response to CPR and was declared dead.

Examination of the scene revealed that the bathtub was full of water but the water was cold to the touch when officers arrived. Emily Fazzino had apparently been removed from the bathtub by Alex Fazzino prior to the arrival of law enforcement and was positioned lying on her back on the bathroom floor. A bathtub caddy was still in place across the center of the bathtub and the towels surrounding the bathtub were dry. Examination of Emily Fazzino's body at the scene showed areas of bruising, which were purple in color, on her forehead and neck.

On January 29, 2012 Alexander Fazzino was interviewed and told Officers that Emily Fazzino had an addiction to prescription pills and explained that he believed that she must have overdosed. Fazzino stated multiple time during the interview that Emily Fazzino had a drug addiction to pain pills. At no time in the interview did Alex Fazzino state again that his wife was "trying to kill herself" or explain why he stated that to the 911 dispatcher. When asked Alex Fazzino told investigators that Emily Fazzino had never spoken of or attempted suicide in the past.

During this interview Alexander Fazzino stated that he was in the basement of the home with his three children when Emily Fazzino went to take a bath. No other person(s)

were present at the home during the incident. Fazzino stated that after being in the basement for some time he heard water running from upstairs and went to check on Emily Fazzino. Alexander Fazzino stated that he entered the bathroom and first noticed water on the floor. He then found Emily face down in the bath tub with her head submerged at the water faucet end. Fazzino pulled Emily Fazzino out of the bathtub and phoned 911. When asked by investigators, Alexander Fazzino did not have any explanation for the bruises found on Emily's body.

It should be noted that an examination of the bathtub revealed that the bathtub overflow valve was in working condition and even with the bathtub completely full and the water faucet fully opened the tub would not overflow.

Boone Police reports indicate that on January 22, 2012 Officers responded to the Fazzino residence reference a 911 call placed by Emily Fazzino reference a domestic dispute. No parties were arrested at this time as neither party reported any physical assault. Information was also discovered that following the dispute on January 22nd, Alexander Fazzino took his children out of the state without the knowledge or permission of Emily. Alexander Fazzino and the children returned to Iowa on January 24th after being served with a court order by counsel for Emily Fazzino.

Investigation into Fazzino's death revealed that Emily Fazzino had filed for divorce on January 23, 2012 from Alex Fazzino. In response to the divorce filing, Alexander Fazzino filed for full custody of their (3) three children on January 27th. During the week on January 23rd Alex Fazzino had went to the elementary school in Boone and told teachers that Emily Fazzino was unfit as a mother and was addicted to prescription medication. During the week of January 23rd until Emily Fazzino's death on January 29th family and/or friends stayed at Alex and Emily's home and the couple spent little time together. January 29th was one of the only nights in which Alex and Emily were alone together.

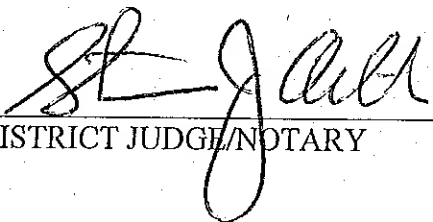
As a result of the interviews conducted in this investigation it was determined that Emily and Alexander Fazzino were not getting along at the time of her death. Throughout the week of January 23rd Emily and Alexander Fazzino spent very little time together. Phone records from Emily Fazzino's cellular telephone show that at approximately 5:10 pm, on January 29th, Emily Fazzino made a telephone call to her father, Richard Beckwith. Beckwith was interviewed and stated that during this phone call Emily Fazzino stated that she was scared to go home and be alone with Alexander Fazzino. Richard Beckwith was the last person to speak with Emily Fazzino prior to her death.

On January 30, 2012 an autopsy was performed on the body of Emily Fazzino at the State Medical Examiner's Office. As a result of this examination several areas of trauma to the victims head were noted. These injuries included 4 areas of trauma to the front, right, and left side of Emily Fazzino's head. Prior to the night of January 29, 2012 Emily Fazzino did not have any type of injuries to her head and/or neck. Minor trauma to the victim's throat and neck were also noted. The toxicology report on Emily Fazzino did not report any signs of drug abuse and drug overdose was determined not to be the cause of death. The State Medical Examiner ruled Emily Fazzino's death as undetermined.

On March 12, 2013 the findings of the autopsy and the investigative case file were reviewed by Dr. Brad Randall who is an expert in forensic pathology. Dr. Randall provided an opinion that Emily Fazzino's death was caused by asphyxia due to neck compression and/or drowning. Dr. Randall further expressed his opinion that multiple head contusions and multiple soft tissue contusions in the anterior of the neck are highly suggestive of a struggle prior to death and therefore the manner of death is indicative of a homicide.


AFFIANT

Subscribed and sworn to before me this 5th day of April 2013 .


~~AS~~ DISTRICT JUDGE/NOTARY